

Name of Aggrieved Employee: **Dr. Rajendra D. Badgaiyan**
Name of Facility: **Brockton VA Medical Center**
Date of Initial Contact: **March 5, 2003**

Compensation for physical and mental stress.

Claim 1 Documents for Review [provided by the aggrieved]:

Notification of Personnel Action, July 1, 2001
Letter from Dr. Grace J. Mushrush, May 28, 2002
Medical diagnosis, July 21, 2002
Letter from Dr. Grace J. Mushrush, October 2, 2002
Formal Complaint [Case No. 200G-0525-2002104727], October 7, 2002
Justification for contacting Counselor after the 45 day time frame, March 24, 2003
ORM Notice of Final Agency Decision, March 24, 2003
Earning Statement – Harvard University, April 30, 2003

Claim 1 Documents for Review [provided by the RMO]:

E-mail, Subject: Certificates, April 22, 2003

RMO's Response to Claim 1: Dr. Mushrush requested that ORM review the documents that were provided for the first case [Case No. 200G-0525-2002104727]. Dr. Mushrush commented that Dr. Badgaiyan received the Dupont Warren Fellowship Award in April 2002 and Harvard University currently pays his salary. Dr. Mushrush said that Dr. Badgaiyan is on the VA Medical Center's roles without compensation [WOC]. Dr. Mushrush stated that she actually liked Dr. Badgaiyan and tried everything to accommodate Dr. Badgaiyan with his completion of the residency program.

Dr. Mushrush described Dr. Badgaiyan as a brilliant researcher in the area of memory; however, Dr. Mushrush said that Dr. Badgaiyan had no interest in clinical work. Dr. Mushrush noted that Dr. Badgaiyan did not apply for the licensing exam in 2003 and to her knowledge he has not pursued the licensing exam.

1. Assignment of Duties.

a. Dr. Mushrush responded that Dr. Badgaiyan selected the minimum specified time necessary for training and required clinical experience. Dr. Badgaiyan had 36 months of clinical training and Dr. Mushrush allowed him to apply 12 months of research for the 4th year requirement. Dr. Mushrush explained that it was Dr. Badgaiyan's choice to decrease his schedule from full time for 3 months to one day a week for 3 months [October 15 through December 15, 2002]. Dr. Badgaiyan said that he could only work one day a week and on Tuesdays. Dr. Mushrush stated that she then limited the triage to one day a week with Dr. James Levitt, who Dr. Badgaiyan related to and who was also conducting research.

b. Dr. Mushrush commented that during a scheduled rotation Dr. Badgaiyan shortened an outside rotation 2 weeks in order to travel to India. Dr. Mushrush acknowledged that during a scheduled rotation, she reassigned Dr. Badgaiyan from one ward to another ward because a fellow resident on the former ward had harassed Dr. Badgaiyan.

Dr. Mushrush noted that Dr. Badgaiyan had made some mistakes during his rotations and the Acting Chief, Medicine, Dr. Peter Tishler, West Roxbury VAMC requested Dr. Mushrush reassign